

## National Labor Relations Board

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and signed. It is filed with the Executive Secretary of the Board in Washington, DC. No particular form is required, but the petition must be properly captioned and must contain the allegations required by §102.106 of the Board's Rules and Regulations. None of the information sought relates to the merits of the dispute. The petition may be withdrawn any time before the Board issues its declaratory order deciding whether it would or would not assert jurisdiction over the cases.

### § 101.43 Proceedings following the filing of the petition.

(a) A copy of the petition is served on all other parties.

(b) Interested persons may request intervention by a written motion to the Board. Such intervention may be granted at the discretion of the Board.

(c) All other parties may reply to the petition in writing.

(d) Briefs may be filed.

(e) After review of the record, the Board issues a declaratory order as to whether it will assert jurisdiction over the cases, but it will not render a decision on the merits at this stage of the cases.

(f) The declaratory Board order will be binding on the parties in both cases.

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by attorneys and party representatives before the Agency; Procedures for processing misconduct allegations.

### APPENDIX A TO PART 102—NLRB OFFICIAL OFFICE HOURS

AUTHORITY: Sec. 6, National Labor Relations Act, as amended (29 U.S.C. 151, 156). Section 102.117 also issued under sec. 552(a)(4)(A) of the Freedom of Information Act, as amended (5 U.S.C. 552(a)(4)(A)), and section 552a (j) and (k) of the Privacy Act (5 U.S.C. 552a (j) and (k)). Sections 102.143 through 102.155 also issued under sec. 504(c)(1) of the Equal Access to Justice Act as amended (5 U.S.C. 504(c)(1)).

SOURCE: 24 FR 9102, Nov. 7, 1959, unless otherwise noted.

### Subpart A—Definitions

#### § 102.1 Terms defined in section 2 of the Act.

The terms *person*, *employer*, *employee*, *representative*, *labor organization*, *commerce*, *affecting commerce*, and *unfair labor practice*, as used herein, shall have the meanings set forth in section 2 of the National Labor Relations Act, as amended by title I of the Labor Management Relations Act, 1947.

#### § 102.2 Act; Board; Board agent.

The term *Act* as used herein shall mean the National Labor Relations Act, as amended. The term *Board* shall mean the National Labor Relations Board and shall include any group of three or more members designated pursuant to section 3(b) of the Act. The term *Board agent* shall mean any member, agent, or agency of the Board, including its general counsel.

#### § 102.3 General counsel.

The term *general counsel* as used herein shall mean the general counsel under section 3(d) of the Act.

#### § 102.4 Region; subregion.

The term *region* as used herein shall mean that part of the United States or any Territory thereof fixed by the Board as a particular region. The term *subregion* shall mean that area within a region fixed by the Board as a particular subregion.

[29 FR 15918, Nov. 28, 1964]

#### § 102.5 Regional director; officer-in-charge; regional attorney.

The term *regional director* as used herein shall mean the agent designated by the Board as the regional director for a particular region, and shall also include any agent designated by the Board as officer-in-charge of a subregional office, but the officer-in-charge shall have only such powers, duties, and functions appertaining to regional directors as shall have been duly delegated to such officer-in-charge. The term *regional attorney* as used herein shall mean the attorney designated as regional attorney for a particular region.

[29 FR 15919, Nov. 28, 1964]

#### § 102.6 Administrative law judge; hearing officer.

The term *administrative law judge* as used herein shall mean the agent of the Board conducting the hearing in an unfair labor practice or Telegraph Merger Act proceeding. The term *hearing officer* as used herein shall mean the agent of the Board conducting the hearing in a proceeding under section 9 or in a dispute proceeding under section 10(k) of the Act.

#### § 102.7 State.

The term *State* as used herein shall include the District of Columbia and all States, Territories, and possessions of the United States.

#### § 102.8 Party.

The term *party* as used herein shall mean the regional director in whose region the proceeding is pending and any person named or admitted as a party, or properly seeking and entitled as of right to be admitted as a party, in any Board proceeding, including, without limitation, any person filing a charge or petition under the act, any person named as respondent, as employer, or as party to a contract in any proceeding under the act, and any labor organization alleged to be dominated, assisted, or supported in violation of section 8(a)(1) or 8(a)(2) of the Act; but nothing herein shall be construed to prevent the Board or its designated